

**BOARD OF DIRECTORS – ACTION SUMMARY
SPECIAL MEETING**

Thursday, June 30, 2005 – 4:00 p.m.

**Administration Building
2101 Hurley Way, Sacramento, CA**

CALL TO ORDER

The meeting was called to order by President Granados. Board Members present: Engellenner, Granados, Kelly, Lawson, Trujillo, Valley. Directors Duveneck, Goold, Jones, absent. Staff: Fire Chief Martinez, Recording Clerk Parker.

**PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN
DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA**

Captain Pat Monahan of Local 522 congratulated Fire Chief Martinez and the other two Chiefs not present for their leadership, abilities, and service to the citizens of this community. Thanked both the Fire Chief and the Board for their direction and ensuring that the men and women who go out on calls every day are well trained and prepared to handle the emergencies encountered. Fire Chief Martinez will be missed when he leaves.

SUCCESSION PLANNING PROCESS—(Granados)

- At the Board meeting of June 22, the Fire Chief and three members of staff declared their intentions to leave. Need to start the process to replace the General Counsel first since his intention is to leave at the end of August.

He spoke with Fire Chief Martinez and requested staff outline the services currently provided by Counsel Price. The Board then needs to decide whether to go to an outside legal firm or keep the in-house counsel concept working with the Fire Chief or the Board.

- Fire Chief Martinez suggested the two firms currently used could provide legal counsel for an interim period.

Director Valley suggested Ruthann Ziegler for the interim period until a contract of service is finalized for a full or part-time Counsel. The new Fire Chief should be in charge of the legal counsel who can advise both the Board and the Chief.

Specialized legal firms currently used:

- Kronick, Moskovitz, Tiedeman & Girard for labor law
- McMurchie, Weill, Lenahan, Lee & Slater for Workers' Compensation

- Director Engellenner in favor of hiring a full-time General Counsel to be brought on board prior to the departure of Counsel Price.
- Director Trujillo recommended the Executive Committee do the interview process.

Director Lawson concurred and emphasized the need to move rapidly and use Counsel Price's expertise to mentor the in-coming counsel.

- Director Kelly ultimately in favor of full-time counsel but questioned whether we want to hire District Counsel or use an individual on a fee-basis for evaluation in the short-term prior to the departure of Counsel Price.
- Fire Chief Martinez strongly recommended the advisor be a generalist in-house counsel with possession of requisite skills and essential job functions versus a specialist or litigator who also serves on the policy side. Staff will put together a "laundry list" for the legal counsel job functions.

Background should include rudimentary knowledge of The Brown Act, Public Records Act, the Meyers-Milias Brown Act, etc.

Recommends both the Board and staff come up with a list of requirements and needs; advertise and conduct interviews of all interested firms or individuals; make a decision to hire either an employee, a firm by contract, or on an hourly basis. Currently have a job description.

- Dick Crooks, former Director, stated it was a long process in the hiring of Mr. Price. He expressed concern with the time frame and concurred with Director Kelly on hiring a firm or individual to act as counsel for the short-term.
- Captain Brian Rice, President of Local 522, noted that Counsel Price acted as a parliamentarian and assisted the Board in conducting the meeting, which made a great difference.
- General consensus in favor of an individual as counsel.
- Karen Klinger spoke in favor of the recommendation for an in-house counsel.
- President Granados spoke with Fire Chief Martinez on succession planning. His intent is to pair up personnel in the organization with those leaving and reassigning duties.

- President Brian Rice accompanied by Vice President Pat Monahan of Local 522 addressed the Board on the inception of the Firefighters Pacific Burn Institute, the only charity that Local 522 is heavily involved with. Out of every dollar contributed, only 16 cents goes to overhead and the rest to burn care, scholarships for doctors and nurses, survivor care, etc. He announced that an agreement was signed today to commit \$1 million to UC Davis for a new burn facility, all due to the vision of one man 33 years ago, Cliff Haskell.
- Director Engellenner stated replacement of the Fire Chief should be addressed. For the record, it needs to be an in-house promotion. It is only fair to people who want to promote from within. Encouraged those who feel qualified to apply for the position.

Fire Chief Martinez stated it is his intent to provide a written planning document possibly at the next meeting to facilitate his plan for departure. He recommended someone from the outside to help with the interview process, noting that he is not comfortable in choosing his successor.
- Director Lawson thanked Fire Chief Martinez for his friendship over the past 30 years and the direction he has given Metro Fire.
- Director Kelly noted that Station 107 at Eastern and Berrendo is moving ahead with the site now being cleared for the new fire station.
- President Granados thanked Melissa Koehly for preparing the agenda and Janice Parker for filling in for the Board Clerk on vacation.
 - **Board Action:**
President Granados will work with Fire Chief Martinez to update the current General Counsel job description for the next Board meeting with plans to advertise for the job opening immediately following.

ADJOURNMENT – Meeting adjourned at 4:55 a.m.

Gregory A. Granados, President

Matt Kelly, Secretary

Charlotte Tilson, Clerk of the Board